

REMARKS/ARGUMENTS

Claims 1-22 were previously pending in the application. Claims 23 and 24 are added herein. Thus, assuming entry of this amendment, claims 1-24 are now pending in the application. The Applicant hereby requests further examination and reconsideration of the application in view of the foregoing amendments and these remarks.

Rejections Under 35 U.S.C. 103

In paragraph 3 of the office action, the Examiner rejected claims 1-3, 11-13, 21, and 22 under 35 U.S.C. 103(a) as being unpatentable over Gebis in view of Johnson and claims 4-10 and 14-20 under 35 U.S.C. 103(a) as being unpatentable over Gebis in view of Johnson, and further in view of Schmidt. For the following reasons, the Applicant submits that all of the pending claims are allowable over the cited references.

Claims 1 and 11

Claim 1 is directed to a method of wirelessly providing, over the Internet, access to specialized content by a user. One or more wireless connection nodes are provided in a geographically defined receiving area. Content selected by an operator of said one or more wireless connection nodes is delivered over the Internet to said one or more wireless connection nodes, wherein said content is (1) specific to said geographically defined receiving area and (2) selected by the operator independent of the user. Said delivered content is transmitted via said one or more wireless connection nodes.

The Examiner admitted that Gebis fails to disclose delivering content selected by the operator independent of the user. Instead, the Examiner asserted that Johnson discloses pushing content (i.e., proactive content delivery) when appropriate, rather than in response to a user query.

The Examiner is incorrect regarding Johnson. While Johnson discloses pushing content, it does not teach or even suggest delivering content selected by the operator independent of the user. Rather, in Johnson, the user configures interests or filters that are saved locally and then communicated to a server data processing system. See, e.g., column 20, line 17-25; Figure 12B; column 27, line 66 – column 28, line 7; and Figure 18B. Subsequently, the server data processing system uses the user's previously configured interests or filters in determining whether content should be sent to the user's device. See, e.g., column 24, lines 43-49; Figure 15A; column 30, lines 50-57; and Figure 20A. Thus, Johnson does not teach or even suggest delivering content selected by the operator independent of the user.

For these reasons, the Applicant submits that claim 1, and similarly claim 11, are allowable over the cited references. Since claims 2-10 and 12-22 depend directly or indirectly from claims 1 and 11, it is further submitted that those claims are also allowable over the cited references.

New Claims 23 and 24

According to new claim 23, which depends from previously presented claim 21, the system further comprises a receiver (i) in wireless communication with said one or more wireless connection nodes at a first time and (ii) in wireless communication with said one or more other wireless connection nodes at a second time. The receiver receives said transmitted delivered content at said first time and said other transmitted delivered content at said second time. The

content available to the receiver at each of the first and second times is pre-specified based on the wireless connection node whose transmission the receiver receives.

According to new claim 24, which depends from previously presented claim 22, the method further comprises users located in said geographically defined receiving area receiving said transmitted delivered content with a receiver configured to receive content transmitted via said one or more wireless connection nodes. When the users located in said geographically defined receiving area enter said other geographically defined receiving area, the users receive said other transmitted delivered content with the receiver. The content available to the users is pre-specified based on the wireless connection node whose transmission the receiver receives.

Support for new claims 23 and 24 is found, for example, in the specification at page 3, lines 14-22 – page 4, lines 1-5. Applicant submits that none of the cited references teach or even suggest that the content available to the users is pre-specified based on the wireless connection node whose transmission the receiver receives. As such, claims 23 and 24 further distinguish the claimed subject matter over the cited references.

Conclusion

For the reasons set forth above, the Applicant respectfully submits that the rejections of claims 1-22 under Section 103(a) have been overcome. Furthermore, new claims 23-24 patentably define over the cited references.

In view of the above amendments and remarks, the Applicant believes that the now-pending claims are in condition for allowance. Therefore, the Applicant believes that the entire application is now in condition for allowance, and early and favorable action is respectfully solicited.

Fees

During the pendency of this application, the Commissioner for Patents is hereby authorized to charge payment of any filing fees for presentation of extra claims under 37 CFR 1.16 and any patent application processing fees under 37 CFR 1.17 or credit any overpayment to Mendelsohn & Associates, P.C. Deposit Account No. 50-0782.

The Commissioner for Patents is hereby authorized to treat any concurrent or future reply, requiring a petition for extension of time under 37 CFR 1.136 for its timely submission, as incorporating a petition for extension of time for the appropriate length of time if not submitted with the reply.

Respectfully submitted,

Date: August 27, 2008
Customer No. 46900
Mendelsohn & Associates, P.C.
1500 John F. Kennedy Blvd., Suite 405
Philadelphia, Pennsylvania 19102

/David L.Cargille/
David L. Cargille
Registration No. 46,600
Attorney for Applicant
(215) 557-6656 (phone)
(215) 557-8477 (fax)